701 Fifth Avenue

Seattle, WA 98104 206.622.4900 rdi= 206.682.603 | abelte Spadificom

Suite 6300

Seedur

July 27, 2006

Karl R. Hermanns Telephone: (206) 4834

karlh@SeedIP.com

Facsimile Transmission

To: PCT Legal Administration Fax No.: (571) 273-0459 Phone No.: U.S. Application No. 10/566,230 Your Ref.: Seed IP Ref .: 670101.401USPC No. of Pages: 16 (including this page) If you do not receive all pages, please call Lola Kemp at (206) 622-4900 or fax our office. Please Confirm X Urgent Please Reply For Review Receipt **ASAP** Comments: Documents attached: Letter concerning improper deduction of excess claims fees RECEIVED Request for Refund (transmittal, Request, attachments) 2 8 JUL 2006 Legal Staff International Division Transmission Information: Date: Time:

CONFIDENTIALITY NOTICE:

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July 27, 2006

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Legal Staff International Division

Karl R. Hermanns Direct Line: (206) 694-4834 karlh@SeedIP.com

By Facsimile: (571) 273-0459

PCT Legal Administration Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Patent Application No. 10/566,230 lodged January 27, 2006, Entitled METHOD FOR PRODUCING SHAPE MEMORY EFFECTS IN HAIR IN CONNECTION WITH HYDROPHOBIC ACTIVE INGREDIENTS Seed Docket No.:

670101.401USPC

To Whom It May Concern:

In several instances in the past year, the PCT Branch of the U.S. Patent & Trademark Office has removed excess claims fees from this firm's Deposit Account 19-1090 without authorization. After a lengthy discussion on July 26, 2006, with Mr. Paul Bell of the PCT branch, Mr. Bell suggested that we write a letter to PCT Legal Administration, rather than simply submitting a Request for Refund, in the hope of addressing this issue and preventing its recurrence.

When filing the above-identified application (our Docket No. 670101.401USPC) on January 27, 2006, Applicants enclosed a check for \$1,030 (copy of transmittal and check #33524 enclosed). On the transmittal, Applicants checked box "c" on page 3, which reads as follows:

c. The Commissioner is hereby authorized to charge any deficiency in the basic national fee which may be required, or credit any overpayment to Deposit Account No. 19-1090. A duplicate copy of this sheet is enclosed.

(Bold type in original.) This firm does not use Form PTO-1390, and the language of paragraph "c" in our transmittal is not identical to that of Form PTO-1390. Thus, this paragraph is not a general authorization, and it specifically does not authorize the PTO to deduct excess claims fees. The "basic national fee" referred to is the minimum fee of \$300 required to be submitted at the time of filing, as indicated on page 2 of the transmittal. The basic national fee was included in check no. 33524.

However, on July 18, 2006, the PCT Branch improperly deducted \$1,210 in excess claims fees (copy of Accounting Statement enclosed). Applicants respectfully request that the Patent and Trademark Office issue a refund of \$1,210 for claims fees improperly deducted from Deposit Account No. 19-1090 on July 18, 2006.

Applicants also enclose a Request for Refund. If the issue cannot be resolved by means of this letter, please forward the Request for Refund to the appropriate office for processing.

dress 701 Fifth Avenue Suite 6300 Seactle, WA 98104 206.622.4900 Jimlie 206.682.6031 totto Spedip.com

PCT Legal Administration July 27, 2006 Page 2

670101.401USPC

We request that you honor the language of our transmittal and refrain from deducting excess claims fees. I look forward to receipt of your reply.

Very truly yours,

Seed IP Law Group PLLC

Karl R. Hermanns

Enclosures:

Accounting Statement showing Deposit Account deduction Copy of Check No. 33524

Copy of Transmittal

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SEED INTELLECTUAL PROPERTY LAW GROUP PLLC EXPRESS MOTE NO. EV529789393US PTO ACCUINT 670101.40 PC

(206) 622-4900 701 5TH AVE. STE. 6300 SEATTLE, WA 98104-7049

DATE January 27, 2006

335.24 19-2/1250 WA 91928

PAY TO THE ORDER OF

DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

\$ **1,030.00**

Bankof America

Middle Market Banking King County, Washington

NON-NEGOTIABLE

₽033524# #125000024# 69048 81?#

SEED INTELLECTUAL PROPERTY LAW GROUP PLLC PTO ACCOUNT SEATTLE, WA 98104-7043

DETACH AND RETAIN THIS STATEMENT
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW
IF NOT CORRECT, PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED

DATE	DESCRIPTION	AMOUNT
1/27/06	PCT/US National Phase of PCT/EP2004/007800 670101.401USPC ALI ABDULLA HASSON, Tareq, et al.	
\bigcirc	Basic National Fee \$300 Examination Fee 200 Search Fee 400 Oath/Declaration Surcharge 130	\$1,030.00
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TID A NICE STORM		Express Mail No. EV5297893931
TRANSMITTAL LETTER 1	TO THE UNITED STATES	ATTORNEY'S DOCKET NO. 670101.401USPC
DESIGNATED/ELECTE CONCERNING A SUBMISS	D OFFICE (DO/EO/US)	U.S. APPLICATION NO. (If known, sec 37 CFR 1.5)
	<u> </u>	(1. Midwil, Sec 37 CFR 1.5)
INTERNATIONAL APPLICATION NO. PCT/EP2004/007800	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
TITLE OF INVENTION	14.07.2004 (July 14, 2004)	30-07.2003 (July 30, 2003)
	EMORY FYFECTS IN MAIR IN SOLD	ECTION WITH HYDROPHOBIC ACTIVE
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Axel; DUCHSCHERER, Anja; BEYER, A	EIN, Andreas; KRATZ, Karl; KUPER, ugelika	Leonid; KRAUSE, Thomas; KALBFLEISCH,
Applicant herewith submits to the United States	Designated/Elected Office (DO/FO/IS) the	Calleria (
	concerning a submission under 35 (15 C	271
2. U THIS IS A SECOND OF SUBSEQUEN	(T submission of items concerning a subm	ission under 35 II S C 271
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		577(17). The submission must include
C A South decical (Millione 31).		
- 17 or and automational Applicant	on as filed (35 U.S.C. 371(c)(2)).	
a. is attached hereto (required o	nly if not communicated by the Internation	nal Burcau).
o. Mas occu communicated by the	ne International Bureau.	
c. is not required, as the applica	tion was filed in the United States Receiving	ng Office (RO/US)
and a sur congress tanguage translation of the	e International Application as filed (35 U.S	.C. 371(c)(2)).
a. S attached hereto.		
b. has been previously submitted	l under 35 U.S.C. 154(d)(4).	1
7. Amendments to the claims of the Inter	national Application under PCT Article 19	(35 U.S.C. 371(c)(3))
The manufactured reservo (required o	only if not communicated by the Internation	nal Bureau).
o. I have occil communicated by the	ne International Bureau,	
c. have not been made; however,	the time limit for making such amendmen	ts has NOT expired
The state if or peep thade and will be	ot be made.	
8.	amendments to the claims under PCT Artic	cle 19 (35 [[S C 37] (avy))
ci attachi of the inventoris	り(35 U.S.C. 371/e)(4))	4
10. An English language translation of the	annexes to the International Preliminary Ex	Kamingtion Donos and Dom
Items 11 to 20 below concernd		warmanou report under PC1
Items 11 to 20 below concern document(s) or	information included:	
E Statement un	ider 37 CFR 1.97 and 1.98.	
13. A preliminary amendment.	A separate cover sheet in compliance with	n 37 CFR 3.28 and 3.31 is included.
The second page 31/CF.	R 1.76	
and an analysis of the state of		
and of anothey and/or change of ad	dress letter.	
18. A second composition with the sequence	ce listing in accordance with PCT Rule 13	er.2 and 37 CFR 1.821 - 1.825
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The second copy of the English language tr	anslation of the international application u	nder 35 U.S.C. 154(d)(4)
20. Other items or information:		

U.S. APPLICATIO	N NO. (If known	sec 37 CFR (5)	INTERMATIONAL	A DDI (OATIONIA)		
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Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					\$1,030.00	
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b. с.	above fees. A duplicate copy of this short	0-1090 in the amount of \$ to cover the	
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SEN	ID ALL CORRESPONDENCE TO:		
Kar	R. Hermanns		
Seco	I Intellectual Property Law Group PLLC Start Avenue, Suite 6300	SIGNATURE	4
Sear	tle, WA 98104-7092	Karl R. Hermanns	
Unit	ed States of America	NAME	
(206) 622-4900		
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		(TOMBE)	`
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TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

Application Number	10/566,230
Filing Date	July 14, 2004 [International Filing Date]
First Named Inventor	Tareq Ali Abdulla Hasson
Art Unit	
Examiner Name	
Attorney Docket No.	670101.401USPC

		NCL	OSURES (check a	all that ap	ply)	
Extension of Express Abar Request Information D Statement an Cited Referen Certified Copy Document(s) Response to I under 37 CFR	tal Form ched Response al /declaration(s) Time Request adonment isclosure d Transmittal ices / of Priority Missing Parts 1.52 or 1.53		Drawing(s) Request for Correct Receipt Licensing-related F Petition Petition to Convert Provisional Applica Power of Attorney, Revocation, Chang Correspondence Ad Declaration Statement under 37 3.73(b) Terminal Disclaime Request for Refund CD, Number of CD(s) Landscape Tab	cted Filing Papers to a ation ge of ddress 7 CFR		After Allowance Communication to TC Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Return Receipt Postcard Other Enclosure(s) (please identify below): posit Account Statement by of Check No. 33524 by of 371 Transmittal
	SIGNATUR	E OF	APPLICANT, ATT	ORNEY,	OR A	GENT
Firm Name	1		Property Law Group PLIC Customer Nun		Customer Number 00500	
Signature			///			
Printed Name	Karl R. Herma	nns			-	
Date	Date July 27, 2006		Reg. No		0.	33,507
CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date						
Signature	7	3	2 Vom			
Typed or printed na	1	1. Kei	Kemp r		Date:	July 27, 2006
END TO: Commissioner for Patishts, P.O. Box 1450, Alexandria, VA 22313-1450.						

PATENT

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

July 27, 2006

Lora Kemp

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants

Tareq Ali Abdulla Hasson et al.

Application No.

10/566,230

Filed

July 14, 2004 [International Date]

For

METHOD FOR PRODUCING SHAPE MEMORY EFFECTS IN

HAIR IN CONNECTION WITH HYDROPHOBIC ACTIVE

INGREDIENTS

Docket No.

670101.401USPC

Date

July 27, 2006

PCT Legal Administration Facsimile No. (571) 273-0459 Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

REQUEST FOR REFUND

Director:

Applicants request that the PCT Branch of the Patent and Trademark Office issue a refund of \$1,210 for claims fees improperly deducted from Deposit Account No. 19-1090 on July 18, 2006 (copy of Accounting Statement enclosed).

When filing this application (our Docket No. 670101.401USPC) on January 27, 2006, Applicants enclosed a check for \$1,030 (copy of transmittal and check #33524 enclosed). On the transmittal, Applicants checked box "c" on page 3, which reads as follows:

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Application No. 10/566,230

In light of the above, Applicants respectfully request that \$1,210 be returned to Deposit Account 19-1090.

Respectfully submitted,
Seed Intellectual Property Law Group PLLC

Karl R. Hermanns '/' Registration No. 33,507

Enclosures:

Copy of Transmittal filed January 27, 2006 Copy of Check #33524 Copy of Seed Accounting showing the Debits

cc: Accounting

701 Fifth Avenue, Suite 6300 Seattle, Washington 98104-7092 Phone: (206) 622-4900

Phone: (206) 622-4900 Fax: (206) 682-6031

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SEED INTELLECTUAL PROPERTY LAW GROUP PLLC EXPRESS MATE NO. EV5297893930S PTO ACCURATE FOR STATE OF STA

(205) 622-4900 701 5TH AVE. STE. 6300 SEATTLE, WA. 98104-7043

DATE January 27, 2006

33524 19-2/1250 WA 91926

PAY TO THE ORDER OF.

DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

\$ **1,030.00**

Bank of America

Middle Markot Banking
King County, Washington

NON-NEGOTIABLE

#033524# #125000024# 69048 B17#

SEED INTELLECTUAL PROPERTY LAW GROUP PLLC PTO ACCOUNT SEATTLE, WA 98104-7043

DETACH AND RETAIN THIS STATEMENT
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW
IF NOT CORRECT, PLEASE NOTIFY US PROMPTLY, NO RECEIPT DESIRED

DATE	DESCRIP	TION		AMOUNT			
1/27/06	PCT/US National Phase of PCT/EP26670101.401USPC ALI ABDULLA HASSON, Tareq, et al		•				
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INI	TERNATIONAL APPLICATION NO. T/EP2004/007800	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
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Axe	ABDULLA HASSON, Tareq; LENDLI I: DUCHSCHERER Ania: REVER	EIN, Andreas; KRATZ, Karl; KUPER,	Leonid; KRAUSE, Thomas; KALBFLEISCH,
Appl	licant herewith submits to the United States	Derimond/El	
1.	This is a FIRST submission of items	Designated/Elected Office (DO/EO/US) the concerning a submission under 35 U.S.C.	following items and other information;
2,	This is a SECOND or SUBSECUTEN	Tarbaile 6:	371.
3.	This is an express request to begin	T submission of items concerning a submi	ission under 35 U.S.C. 371.
	items (5), (6), (9) and (21) indicated	tional examination procedures (35 U.S.C. below.	371(f)). The submission must include
4.	The US has been elected (Article 31).		
5.	A copy of the International Application	n as filed (35 I I S.C. 27 (-)/2)	
	a. is attached hereto (required on	ly if not communicated by the Internation	
	b. Itas been communicated by the	e Interpreting I Described by the Internation	al Bureau).
	c. Nis not required as the applicati	ion and State and a state and	
6. 5	An English language translation of the	ion was filed in the United States Receivin	g Office (RO/US).
	a. X is attached hereto.	International Application as filed (35 U.S.	.C. 371(c)(2)).
7. 🔯	b. has been previously submitted Amendments to the claims of the late	under 35 U.S.C. 154(d)(4).	
-	a. Darc attached hereto (required)	ational Application under PCT Article 19	(35 U.S.C. 371(c)(3))
		ily if not communicated by the Internation	al Bureau).
	Community occur community area by the	c International Bureau.	
	d. Mhave not been made; however, t	the time limit for making such amendment	s has NOT expired,
3. П	Commende occuminate and will no	of the made.	
). []	An English language translation of the a	inendments to the claims under PCT Artic	ele 19 (35 U.S.C. 371(c)(3))
	and the distriction (3)	(33 U.S.C. 3717e)(A))	
0. []	An English language translation of the an	nnexes to the International Preliminary Ex	amination Report and a DCT
tems 1	1 to 20 below concern document(s) or in		Coport under PC 1
1. 🗍	An Information Disclosure Section 1	formation included;	
2. 🗍	An assignment document for any in	der 37 CFR 1.97 and 1.98.	
з. П	A preliminary amendment.	A separate cover sheet in compliance with	37 CFR 3.28 and 3.31 is included.
_	•		
Д 5. П	An Application Data Sheet under 37 CFR	1.76	
_	A substitute specification.		
i. []	A power of attorney and/or change of add	ress letter.	
	A computer-readable form of the sequence	c listing in accordance with PCT Rule 136	er.2 and 37 CFP 1 921 1 024
_	i i i i i i i i i i i i i i i i i i i	441 APPILCATION Uncley 35 FT C C 164/4/4	
	research copy of the Challey language tra	nslation of the international application ur	ndur 25 [[2 C 1540 new
\Box	Other items or information:	wppiiotitiii tii	رد ۱۵4(d)(4), U.S.L. 134(d)

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		·	PCT/EP2004/0078		670101.401		ADER.
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21. 🔯 Basic na	ational fee (37 (CFR 1.492(a))		\$300.0	0	\$300.00	
22. 🛛 Examin	ation fee (37 CI	R 1.492(c))					
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accompanied by an	appropriate co	rer sheet (37 CFR	3.28, 3.31). \$40.00 p	TICHE MUST OC TODERIV 1.	i	\$.00	
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a.	A check in the amount of \$1.030 to cover	the above fees is enclosed					
b .	Please charge my Deposit Account No. I above fees. A duplicate copy of this sheet	9-1090 in the amount of \$ to course!	e				
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Kari I Seed I 701 5' Seattle	L Hermanns Intellectual Property Law Group PLLC Avenue, Suite 6300 A WA 98104-7092 I States of America	SIGNATURE Karl R. Hermauns NAME					
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